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243

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BANGALORE, THURSDAY, JUNE 17, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 826—*L. C. dated 8th June* 1920.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following report of the Select Committee on the Bill to amend the Mysore Local Boards and Village Panchayets Regulation, 1918, is published for general information.

By Order,
P. MAHADEVAYYA,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill to amend the Mysore Local Boards and Village Panchayets Regulation, 1918.

We, the members of the Select Committee appointed to consider the above Bill have the honor to submit the following report :—

Clause 1.—The General Economic Conference and the Central Development Board are merely consultative bodies and have no independent statutory existence under the Local Boards and Village Panchayets Regulation. Hence there is no object in defining these terms in this Regulation and we have accordingly omitted this clause.

Clause 2.—The amendment of Section 4 of the Regulation proposed in this clause contemplates the exercise of concurrent jurisdiction over municipal areas by Local Boards as well as municipalities in regard to economic work. We consider that it is not desirable that the two bodies should exercise concurrent jurisdiction over one and the same area and hence

we recommend that Section 4 may remain as it is and that no amendment need be made therein.

Clause 3.—We propose certain verbal alterations in this clause and the clause as altered will be as follows :—

"8 (i) the development of the Economic condition of the district with special reference to Education, Agriculture and Industries and Commerce."

Clause 5.—As the provision made in this clause relates to a subject different from that contemplated in Sub-Section (1) of Section 10, we consider that it may form a separate Sub-Section as Sub-Section (2), the present Sub-Section (2) being renumbered as Sub-Section (3). The above arrangement involves certain alterations in the wording of the clause and as altered it will stand, as follows :—

"10 (2) Subject to like restrictions and conditions imposed in Sub-Section (1) every Taluk Board shall, within the area subject to its authority, exercise such powers and perform such duties as may be assigned to it, in matters relating to economic development with special reference to Education, Agriculture and Industries and Commerce."

As a result of the above alterations, the figure (9) in Sub-Section (1) of Section 27 should be substituted by (10) and the figure 9 in Sub-Section (2) of the same section deleted.

Clause 6.—This clause contemplates making provision for the formation of Sub-Committees and Special Sub-Committees. As Section 17 relates to the formation of joint committees, we suggest that in the headline over Section 17 the word "Joint" may be deleted, and that this clause may be treated as Section 17A. We have also slightly altered the wording of the clause. As altered it will read as follows :—

"17A—(1) Subject to such rules as may be framed by Government in this behalf, every Local Board shall for the purposes of Sections 8 (i) and 10 (2) of the Regulation, appoint three committees from among its members to deal, respectively, with Education, Agriculture and Industries and Commerce consisting of such number of members as may be appointed by the Board.

(2) It shall be lawful for the District Board to appoint as a member of any of the said committees, any person of either sex, who is not a member of the Local Board, but who may, in the opinion of the President, possess special qualifications for serving on the committees.

(3) It shall also be lawful for the District Board to appoint temporarily additional members of either sex, whenever necessary, for the consideration of any particular subject or subjects."

Clause 7.—We recommend that the proposed new sub-clause (*c*) may come after the proviso in Section 24, as, after a careful discussion we came to the conclusion that the levy of the cess should have the acceptance of a majority of the Taluk Boards in the manner indicated in the revised clause. Sub-clause (*c*) as revised will read as follows :—

"(*c*) an educational cess not exceeding six pies in the rupee on all items of revenue on which local cess is levied to be utilised solely for purposes of education.

Provided that the cess shall not be levied unless the levy thereof is accepted by not less than 75 per cent of the Taluk Boards in the district at meetings specially convened for the purpose, and confirmed by a resolution of the District Board supported by not less than three-fourths of the members present at a meeting specially convened in that behalf."

Clause 8.—For the reasons stated against clause 1 we consider that we have no power under the provisions of the Local Boards and Village Panchayets Regulation, to authorise Government to make rules defining the duties and responsibilities or the relations of the General Economic Conference and the Central Economic Development Board with the Local Boards or the Committees thereof. We, therefore, recommend that the whole clause may be omitted and in its place the following be substituted :—

"Add the words 'and Committees' after the words 'Local Boards' in line 1 of Section 37 clause (*b*) and after the words 'Taluk Boards' in line 2 of clause (*c*) of the same section."

Clause 9.—We consider that it is desirable to provide for the making of bye-laws in respect of the issue of licenses for the plying ferry boats and we accordingly propose the addition of the following sub-clause after sub-clause (i), remaining sub-clauses being renumbered.

"(ii) The issue of licenses for plying ferry boats, the conditions on or subject to which such licenses may be granted and the fees payable in respect of such licenses."

Consequent on the above addition the words "and license fees specified in Section 38, clause (1), sub-clause (i)" have to be added after the words "Ferry collections" in Section 23, clause (1) sub-clause (iii).

We recommend that the Bill may be passed with the above changes, and as they have been fully indicated in the report we consider that the Bill need not be republished.

Mr. Shankaranarayana Rao having resigned his membership in the Legislative Council, Mr. C. S. Doraswamy Iyer took part in the discussions having been previously invited to be present.

P. RAGHAVENDRA RAO,
K. CHANDY,
P. G. D'SOUZA,
D. VENKATESAIYA.
(Subject to a minute of dissent.)

Mr. H. Krishna Rao was unable to be present at the meeting.

Minute of dissent.

I have signed the report, subject to certain reservations in respect of clauses 6 and 7 of the Bill, in the manner indicated below :—

(1) It appears to me that the restrictions and limitations placed upon the powers of the Local Boards to form Sub-Committees and Special-Committees, under the new Section 17 A in clause 6 of the Bill, are not in keeping with the liberal spirit of the Local Self-Government Scheme in Mysore (*vide* G. O. No. 3005-55—Ml. 132-16-1, dated 16th November 1916). If the economic progress intended to be attained by the devolution of powers and functions on the Local Boards under the Government Orders is to be real and substantial, I am strongly of opinion that the Taluk Board must, at once be recognised unhesitatingly as an autonomous unit and not merely as an agent of the District Board, for all purposes of action as well as for exercising the powers of taxation. In this view of the matter, it becomes necessary to further amend Section 17A, clause (2) and clause (3) so as to leave the powers of the Taluk Board unfettered by unnecessary interference by the District Boards or its President.

(2) In respect of clause 7, I desire to state that my view is that land is already over burdened by taxation. It is therefore necessary that "Land Revenue" should not be made liable to further taxation by the Local Boards. Again, for the reasons stated above, I am strongly of opinion that it is the Taluk Boards, and not the District Boards, that should be made competent to levy the Education Cess. The proposed section in clause 7 of the Bill, will, in this view, have its proper place under Section 26 of the Mysore Local Board and Village Panchayets Regulation, 1918, after the necessary changes being made in it.

Though I was not able to convince the official members of the Select Committee of the reasonableness of my arguments in support of the views I hold, I wish to express my appreciation of the extreme courtesy and considerations with which they discussed all these matters.

D. VENKATESAYYA,
Member, Mysore Legislative Council.

No. 827—L. C., dated 8th June 1920.

Under Rule 40 of the rules for the conduct of business of the Mysore Legislative Council the following report of the Select Committee on the Bill further to amend the Mysore Municipal Regulation, 1906, is published for general information.

By Order,
P. MAHADEVAYYA,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill further to amend the Mysore Municipal Regulation, 1906.

We the members of the Select Committee appointed to consider the above Bill, have the honor to submit the following Report :—

Clause 1.—This clause as it stands at present makes the function of economic work only optional on the part of municipalities. Likewise Section 30 provides for consultative committees only. As the object of the Government Order dated 12th July 1919, regarding the reconstitution of the Economic Conference is to make it obligatory for municipalities to undertake economic development work, we propose that instead of amending Section 30, a new section be added as Section 29A and that a new clause (*t*) be also inserted under Section 54. The new section and the new clause may be worded as follows :—

"29A. Subject to such rules as may be framed by the Government from time to time in this behalf, the Municipal Council shall appoint for the purpose of Section 54 (*t*) three committees to deal respectively with Education, Agriculture and Industries and Commerce."